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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/769,452	01/26/2001	Jussi Petri Myllymaki	ARC920009103US1	5448

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EXAMINER

PEREZ, ANGELICA

ART UNIT	PAPER NUMBER
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2618

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12/11/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 09/769,452	Applicant(s) MYLLYMAKI, JUSSI PETRI	
	Examiner ANGELICA M. PEREZ	Art Unit 2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 September 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments, see Appeal Brief, filed 9/22/2008, with respect to the rejection(s) of claim(s) 1-25 under 35 USC § 103 (a) and 102 (e) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Devit et al.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-2, 4, 6-12, 14-21, 23-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Raith, Alex Krister (Raith, US006625457B1) in view of Devit et al. (Devit, US 6947976 B1).

Regarding claims 1, 10 and 23, Raith teaches of a method and program storage device readable by machine, tangibly embodying a program of instructions executable by the machine (column 3, lines 28-30) to perform a method for sorting geo-spatial dependent data using a global position satellite (GPS)-type client wireless component (CWC) (columns 1, 3 and 5, lines 60-62, 43-47 and 14-22, respectively), the method comprising: receiving user documents comprising personal user information added by a user of the CWC (column 5, lines 14-29, where the user inputs documents downloaded

from different means as well as enters data manually. The data downloaded and inputted by the user is data of personal interest and specifically selected by the user), where the user documents have location identifiers associated with the personal user information (column 5, lines 2-8, e.g., "cities, states, etc."); determining a location of the CWC (column 1, lines 64-67); sorting, within the CWC, the personal user information document database in a shortest-distance-first order based on the location of the CWC and the location identifiers (columns 4 and 5, lines 65-67 and 1-29, respectively; column 6, lines 5-11; where the examiner would like to quote an example given by the applicant's found in page 9 of the specifications that reads: "shortest-distance-first sort order allows the Presenter 150 to display those documents first that are most closely (distance-wise) related to the user's current location. For instance, a user on a business trip will find his/her cellular phone directory displayed so that numbers residing in the same area code as the user's current location will be listed first."); and displaying the personal user information geo spatial dependent data in the shortest- distance-first order on the CWC (columns 4 and 5, lines 33-36 and 14-29, respectively; where the user can customize the entries according to his/her needs or desire).

The examiner would like to introduce the Devit reference that more explicitly teaches sorting, within the CWC, the personal user information document database in a shortest-distance-first order based on the location of the CWC and the location identifiers (column 10, lines 51-67; column 11, lines 13-52, see figure 7a, where the information is sorted "according to increasing geographic distance from the reference location", where the reference location includes the location of the device/user).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Devit's sorting by increasing distance with Raith's device to save time looking for specific information relevant to the current location of the device/user.

Regarding claim 18, Raith teaches of a system for sorting location dependent data (figure 1), the system comprising: a client wireless component (CWC) (figure 1, item 100), the CWC having: a location tracker operatively configured with a location tracking database to determine a location of the CWC (columns 1 and 3, lines 64-67 and 43-47, respectively); a document database operatively configured with an editor (columns 4 and 5, lines 1-16 and 14-29, respectively, a presenter (column 4, lines 33-36, where the information is presented to the user on the display by the presenter) and a recorder (column 4, lines 1-2, where the memory records the location related information), the presenter operatively configured with the location tracking database (column 6, lines 34-41, where the presenter, presents the information to the user on the display as the user moves), where the document database comprises user documents comprising personal user information added by a user of the CWC through the editor (column 5, lines 14-29, where the user inputs documents downloaded from different means as well as enters data manually. The data downloaded and inputted by the user is data of personal interest and specifically selected by the user), where the user documents have location identifiers associated with the personal user information (column 5, lines 2-8, e.g., "cities, states, etc.); a session manager within the CWC, whereby the personal user information location dependent data used by the CWC is

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sorted by the session manager in a shortest-distance-first order based on the location of the CWC and the location identifiers (columns 4 and 5, lines 65-67 and 1-29, respectively; column 6, lines 5-11; where the examiner would like to quote an example given by the applicant's found in page 9 of the specifications that reads: "shortest-distance-first sort order allows the Presenter 150 to display those documents first that are most closely (distance-wise) related to the user's current location. For instance, a user on a business trip will find his/her cellular phone directory displayed so that numbers residing in the same area code as the user's current location will be listed first."); and a graphic user interface adapted to display the personal user information geo spatial dependent data in the shortest-distance-first order (columns 3, 4 and 5, lines 31-34, 33-36 and 14-29, respectively; where the user can customize the entries according to his/her needs or desire).

The examiner would like to introduce the Devit reference that more explicitly teaches sorting, within the CWC, the personal user information document database in a shortest-distance-first order based on the location of the CWC and the location identifiers (column 10, lines 51-67; column 11, lines 13-52, see figure 7a, where the information is sorted "according to increasing geographic distance from the reference location", where the reference location includes the location of the device/user).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Devit's sorting by increasing distance with Raith's device to save time looking for specific information relevant to the current location of the device/user.

Regarding claims 2 and 11, Raith and Devit teach all the limitations of claims 1 and 10, respectively. Raith further teaches where the determining of the location of the CWC includes automatic determination by a global position satellite (GPS)-type CWC and tracking location of the GPS-type CWC using global positioning satellites (column 3, lines 43-47).

Regarding claims 4 and 12, Raith and Devit teach all the limitations of claims 1 and 10, respectively. Raith further teaches where the determining of the location of the CWC includes explicit entry of location data (column 5, lines 19-20).

Regarding claims 6, 14 and 24, Raith teaches all the limitations of claims 1, 10 and 23, respectively. Raith further teaches of editing the location identifiers associated with the personal user information by actual geo-spatial locations obtained by the GPS-CWC (column 5, lines 24-29, where when inputting information, there is opportunity to edit).

Regarding claims 7 and 15, Raith and Devit teach all the limitations of claims 1 and 10, respectively. Raith further teaches where of assigning said location identifiers based on information other than geo-spatial location (figure 11, items 110; where the information identifiers correspond to information other than geo-spatial location).

Regarding claims 8 and 16, Raith and Devit teach all the limitations of claims 1 and 10, respectively. Raith further teaches where the sorting comprises calculating a distance between the location and the location identifiers and ordering said personal information by the distance, beginning with a smallest distance (columns 4 and 5, lines 65-67 and 1-29, respectively; column 6, lines 5-11; where the examiner would like to

quote an example given by the applicant's found in page 9 of the specifications that reads: "shortest-distance-first sort order allows the Presenter 150 to display those documents first that are most closely (distance-wise) related to the user's current location. For instance, a user on a business trip will find his/her cellular phone directory displayed so that numbers residing in the same area code as the user's current location will be listed first.").

Regarding claims 9 and 17, Raith and Devit teach all the limitations of claims 1 and 10, respectively. Raith further teaches where the sorting of the personal user information document database in a location-dependent order by calculating the distance between current location and the location identifiers associated with the personal information datum in the document database is performed by logical dimension based upon user preference (columns 4, 5 and 6; lines 65-67, 1-29 and 18-20, respectively).

Regarding claim 19, Raith and Devit teach all the limitations of claim 18. Raith further teaches where the editor and the recorder comprise editing components that modify said location tracking database (column 6, lines 15-21).

Regarding claim 20, Raith and Devit teach all the limitations of claim 18. Raith further teaches where the presenter retrieves documents from the document database, and sorts them in location-dependent order for presentation by calculating the distance between current location from the location tracking database and location information associated with each document in the document database (column 6, lines 31-41).

Regarding claim 21, Raith all the limitations of claim 18. Raith further teaches where the CWC further includes global positioning satellite (GPS) position components and distance determination for sorting the document database is determined by a signal from a GPS network (column 3, lines 43-47).

Regarding claim 25, Raith and Devit teach all the limitations of claim 23. Raith further teaches of editing the location identifiers associated with the personal user information by actual geo-spatial locations obtained by non-actual geo-spatial locations (column 5, lines 24-29, where when inputting information, there is opportunity to edit and it does not necessarily has to refer to geo-spatial locations).

4. Claims 3 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Raith in view of Devit and further in view of Fraccaroli, Federico (Fraccaroli, US006549768B1).

Regarding claims 3 and 22, Raith and Devit teach all the limitations of claims 1 and 18, respectively.

Raith further teaches where the personal user information comprises a personal telephone directory and where the CWC includes position determining components for sorting the document database (column 4, lines 5-11, where the list comprises a personal telephone directory since, the items with the corresponding phone numbers are selected by the user).

Raith and Devit teach do not specifically teach where the determining of the location of the CWC includes accessing an area code of a local wireless cellular network.

In related art concerning a mobile communications matching system, Fraccaroli teaches where the determining of the location of the CWC includes accessing an area code of a local wireless cellular network (columns 14 and 15, lines 66-67 and 1-3, respectively).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Raith's and Devit's method with Fraccaroli's area code as reference in order to identify the geographical area according to the area code).

5. Claims 5 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Raith in view of Devit and further in view of Mura-Smith, Kiyoko (Mura-Smith, US006127945A).

Regarding claims 5 and 13, Raith and Devit teach all the limitations of claims 1 and 10, respectively.

Raith and Devit do not specifically teach where storing the location into the CWC by inputting the location in a location tracking database that stores both the location and a timestamp.

In related art concerning a mobile personal navigator, Mura-Smith teaches where storing the location into the CWC by inputting the location in a location tracking database that stores both the location and a timestamp (column 9, lines 38-44).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Raith's and Devit's method with Mura-Smith's time-stamping in order to keep better track of the user's route, so that, when the user wants to go return to his point of origin, he/she can track his way back.

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Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Angelica Perez whose telephone number is 571-272-7885. The examiner can normally be reached on 6:00 a.m. - 2:30 p.m., Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Duc Nguyen can be reached on (571) 272-7503. The fax phone numbers for the organization where this application or proceeding is assigned are 571-273-8300 for regular communications and for After Final communications.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either the PAIR or Public PAIR. Status information for unpublished applications is available through the Private PAIR only. For more information about the pair system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). Information regarding Patent Application Information Retrieval (PAIR) system can be found at 866-217-9197 (toll-free).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the TC 2600's customer service number is 703-306-0377.

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/Perez M. Angelica/

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